

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

DEXTER SCOTT CONRAD,

Plaintiff,

v.

CIVIL ACTION NO. 2:06-cv-00275

JOHN SULLIVAN,

Defendant.

MEMORANDUM OPINION AND ORDER


This action was referred to the Honorable Mary E. Stanley, United States Magistrate Judge, for submission to this court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the court find that this court lacks jurisdiction over the plaintiff's Complaint, dismiss the plaintiff's Complaint for lack of jurisdiction, and deny plaintiff's application to proceed without prepayment of fees [Docket 2].

Neither party has filed objections to the Magistrate Judge's findings and recommendation.

Accordingly, the court accepts and incorporates herein the findings and recommendation of the Magistrate Judge. The court **FINDS** that this court lacks jurisdiction over the plaintiff's Complaint, **DISMISSES** the plaintiff's Complaint for lack of jurisdiction, and **DENIES** plaintiff's application to proceed without prepayment of fees [Docket 2].

The court **DIRECTS** the Clerk to send a certified copy of this Memorandum Opinion and Order to Magistrate Judge Stanley, counsel of record, and any unrepresented party.

ENTER: June 12, 2006



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE